United Nations S/RES/1327 (2000)

Security Council

Distr.: General
13 November 2000

Resolution 1327 (2000)

Adopted by the Security Council at its 4220th meeting, on 13 November 2000

The Security Council,

Recalling its resolution 1318 (2000) of 7 September 2000, adopted at its meeting at the level of Heads of State and Government in the course of the Millennium Summit,

Reaffirming its determination to strengthen United Nations peacekeeping operations,

Stressing that peacekeeping operations should strictly observe the purposes and principles of the Charter of the United Nations,

Having welcomed the report of the Panel on United Nations Peace Operations (S/2000/809) and *welcoming* the report of the Secretary-General on its implementation (S/2000/1081),

Having considered the recommendations in the report of the Panel on United Nations Peace Operations which fall within its area of responsibility,

1. *Agrees* to adopt the decisions and recommendations contained in the annex to the resolution;

2. *Decides* to review periodically the implementation of the provisions contained in the annex;

3. *Decides* to remain actively seized of the matter.

Annex

The Security Council,

I

Resolves to give peacekeeping operations clear, credible and achievable mandates;

Recognizes the critical importance of peacekeeping operations having, where appropriate and within their mandates, a credible deterrent capability;

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Urges the parties to prospective peace agreements, including regional and subregional organizations and arrangements, to coordinate and cooperate fully with the United Nations from an early stage in negotiations, bearing in mind the need for any provisions for a peacekeeping operation to meet minimum conditions, including the need for a clear political objective, the practicability of the designated tasks and timelines, and compliance with the rules and principles of international law, in particular international humanitarian, human rights and refugee law;

Requests the Secretary-General, in this regard, to make necessary arrangements for the appropriate involvement of the United Nations in peace negotiations that are likely to provide for the deployment of United Nations peacekeepers;

Further requests the Secretary-General to keep it regularly and fully informed of the progress in such negotiations with his analysis, assessment and recommendations, and to report to the Council on the conclusion of any such peace agreement, on whether it meets the minimum conditions for United Nations peacekeeping operations;

Requests the Secretariat to continue to provide comprehensive political briefings on relevant issues before the Council;

Requests regular military briefings from the Secretariat, including by the Military Adviser, the Force Commander or the Force Commander-designate, both prior to the establishment of a peacekeeping operation and in the implementation phase, and *requests* that these briefings report on key military factors such as, where appropriate, the chain of command, force structure, unity and cohesion of the force, training and equipment, risk assessment and rules of engagement;

Requests regular civilian police briefings from the Secretariat in a similar vein, both prior to the establishment and in the implementation phase of peacekeeping operations with significant civilian police components;

Requests the Secretariat to provide the Council with regular, comprehensive humanitarian briefings for countries where there are United Nations peacekeeping operations;

Encourages the Secretary-General, during the planning and preparation of a peacekeeping operation, to take all possible measures at his disposal to facilitate rapid deployment, and *agrees* to assist the Secretary-General, wherever appropriate, with specific planning mandates requesting him to take the necessary administrative steps to prepare the rapid deployment of a mission;

Undertakes, when establishing or enlarging a peacekeeping operation, to request formally that the Secretary-General proceed to the implementation phase of the mandate upon receipt of firm commitments to provide sufficient numbers of adequately trained and equipped troops and other critical mission support elements;

Encourages the Secretary-General to begin his consultations with potential troop contributors well in advance of the establishment of peacekeeping operations, and *requests* him to report on his consultations during the consideration of new mandates;

Recognizes that the problem of the commitment gap with regard to personnel and equipment for peacekeeping operations requires the assumption by all Member States of the shared responsibility to support United Nations peacekeeping;

Emphasizes the importance of Member States taking the necessary and appropriate steps to ensure the capability of their peacekeepers to fulfil the mandates assigned to them, *underlines* the importance of international cooperation in this regard, including the training of peacekeepers, and invites Member States to incorporate HIV/AIDS awareness training into their national programmes in preparation for deployment;

Underlines the importance of an improved system of consultations among the troop-contributing countries, the Secretary-General and the Security Council, in order to foster a common understanding of the situation on the ground, of the mission's mandate and of its implementation;

Agrees, in this regard, to strengthen significantly the existing system of consultations through the holding of private meetings with troop-contributing countries, including at their request, and without prejudice to the provisional rules of procedure of the Security Council, in particular when the Secretary-General has identified potential troop-contributing countries for a new or ongoing peacekeeping operation, during the implementation phase of an operation, when considering a change in, or renewal or completion of a peacekeeping mandate, or when a rapid deterioration in the situation on the ground threatens the safety and security of United Nations peacekeepers;

II

Undertakes to ensure that the mandated tasks of peacekeeping operations are appropriate to the situation on the ground, including such factors as the prospects for success, the potential need to protect civilians and the possibility that some parties may seek to undermine peace through violence;

Emphasizes that the rules of engagement for United Nations peacekeeping forces should be fully consistent with the legal basis of the operation and any relevant Security Council resolutions and clearly set out the circumstances in which force may be used to protect all mission components and personnel, military or civilian, and that the rules of engagement should support the accomplishment of the mission's mandate;

Requests the Secretary-General, following full consultations with the United Nations membership, in particular troop-contributing countries, to prepare a comprehensive operational doctrine for the military component of United Nations peacekeeping operations and submit it to the Security Council and the General Assembly;

III

Stresses the need to improve the information gathering and analysis capacity of the Secretariat, with a view to improving the quality of advice to both the Secretary-General and the Security Council, and welcomes, in this regard, the clarifications provided by the Secretary-General in his implementation report on his plans for the establishment of the Executive Committee on Peace and Security Information and Strategic Analysis Secretariat (S/2000/1081);

IV

Stresses the importance of the United Nations being able to respond and deploy a peacekeeping operation rapidly upon the adoption by the Security Council of a resolution establishing its mandate, and *notes* that rapid deployment is a comprehensive concept that will require improvements in a number of areas;

Calls on all relevant parties to work towards the objective of meeting the timelines for United Nations peacekeeping operations of deployment of a traditional peacekeeping operation within 30 days and of a complex operation within 90 days of the adoption of a Security Council resolution establishing its mandate;

Welcomes the Secretary-General's intention to use these timelines as the basis for evaluating the capacity of existing systems to provide field missions with the human, material, financial and information assets that they require;

Welcomes the proposal of the Panel on United Nations Peace Operations to create integrated mission task forces, and *urges* the Secretary-General to pursue this or any other related capabilities that would improve United Nations planning and support capacities;

Emphasizes the need for the Secretariat to provide the leadership of a peacekeeping operation with strategic guidance and plans for anticipating and overcoming any challenges to the implementation of a mandate, and stresses that such guidance should be formulated in cooperation with the mission leadership;

Welcomes the proposals of the Panel on United Nations Peace Operations on improving the capacity of the United Nations to deploy military, civilian police and other personnel rapidly, including through the United Nations standby arrangements system, and urges the Secretary-General to consult current and potential troop-contributing countries on how best to achieve this important objective;

Undertakes to consider the possibility of using the Military Staff Committee as one of the means of enhancing the United Nations peacekeeping capacity.

V

Emphasizes that the biggest deterrent to violent conflict is addressing the root causes of conflict, including through the promotion of sustainable development and a democratic society based on a strong rule of law and civic institutions, including adherence to all human rights — civil, political, economic, social and cultural;

Concurs with the Secretary-General that every step taken towards reducing poverty and achieving broad-based economic growth is a step towards conflict prevention;

Stresses the important role of the Secretary-General in the prevention of armed conflicts, and *looks forward* to his report on this issue, which is to be submitted to Member States by May 2001;

Expresses its continued willingness to consider the use of Council missions, with the consent of host countries, in order to determine whether any dispute, or situation which might lead to international tension or give rise to a dispute, is likely to endanger the maintenance of international peace and security, and to make recommendations for action by the Council where appropriate;

Recalls the statements of its President of 20 July 2000 (PRST/2000/25) and 30 November 1999 (PRST/1999/34) on the prevention of armed conflict and welcomes, in this context, the Secretary-General's intention to send fact-finding missions to areas of tension more frequently;

Recalls resolution 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict, and *looks forward* to receiving the Secretary-General's follow-up report in this context;

Reaffirms the important role of women in the prevention and resolution of conflicts and in post-conflict peace-building, and *fully endorses* the urgent need to mainstream a gender perspective into peacekeeping operations;

Calls for the full implementation of its resolution 1325 (2000) of 31 October 2000;

VI

Welcomes the decision by the Secretary-General to instruct the Executive Committee on Peace and Security to formulate a plan on the strengthening of the United Nations capacity to develop peace-building strategies and to implement programmes in support of them, and *requests* the Secretary-General to submit recommendations to the Security Council and the General Assembly on the basis of this plan;

Recognizes that stronger measures to reduce poverty and promote economic growth are important for the success of peace-building;

Emphasizes, in this regard, the need for more effective coordination of disarmament, demobilization and reintegration programmes, and *reaffirms* that adequate and timely funding for these programmes is critical to the success of peace processes;

Welcomes the Secretary-General's intention to spell out more clearly, when presenting future concepts of operations, what the United Nations system can do to help strengthen local rule of law and human rights institutions, drawing on existing civilian police, human rights, gender and judicial expertise;

VII

Welcomes the Secretary-General's intention to conduct a needs assessment of the areas in which it would be feasible and useful to draft a simple, common set of interim rules of criminal procedure.

United Nations S/RES/1328 (2000)

Security Council

Distr.: General
27 November 2000

Resolution 1328 (2000)

Adopted by the Security Council at its 4235th meeting, on 27 November 2000

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 17 November 2000 (S/2000/1103), and also reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 2001;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

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Security Council

Distr.: General
30 November 2000

Resolution 1329 (2000)

Adopted by the Security Council at its 4240th meeting, on 30 November 2000

The Security Council,

Reaffirming its resolutions 827 (1993) of 25 May 1993 and 995 (1994) of 8 November 1994,

Remaining convinced that the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia contributes to the restoration and maintenance of peace in the former Yugoslavia,

Remaining convinced also that in the particular circumstances of Rwanda the prosecution of persons responsible for genocide and other serious violations of international humanitarian law contributes to the process of national reconciliation and to the restoration and maintenance of peace in Rwanda and in the region,

Having considered the letter from the Secretary-General to the President of the Security Council dated 7 September 2000 (S/2000/865) and the annexed letters from the President of the International Tribunal for the Former Yugoslavia addressed to the Secretary-General dated 12 May 2000 and from the President of the International Tribunal for Rwanda dated 14 June 2000,

Convinced of the need to establish a pool of ad litem judges in the International Tribunal for the Former Yugoslavia and to increase the number of judges in the Appeals Chambers of the International Tribunals in order to enable the International Tribunals to expedite the conclusion of their work at the earliest possible date,

Noting the significant progress being made in improving the procedures of the International Tribunals, and convinced of the need for their organs to continue their efforts to further such progress,

Taking note of the position expressed by the International Tribunals that civilian, military and paramilitary leaders should be tried before them in preference to minor actors,

Recalling that the International Tribunals and national courts have concurrent jurisdiction to prosecute persons for serious violations of international humanitarian law, and noting that the Rules of Procedure and Evidence of the International

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Tribunal for the Former Yugoslavia provide that a Trial Chamber may decide to suspend an indictment to allow for a national court to deal with a particular case,

Taking note with appreciation of the efforts of the judges of the International Tribunal for the Former Yugoslavia, as reflected in annex I to the letter from the Secretary-General of 7 September 2000, to allow competent organs of the United Nations to begin to form a relatively exact idea of the length of the mandate of the Tribunal,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish a pool of ad litem judges in the International Tribunal for the Former Yugoslavia and to enlarge the membership of the Appeals Chambers of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda, and to this end *decides* to amend articles 12, 13 and 14 of the Statute of the International Tribunal for the Former Yugoslavia and to replace those articles with the provisions set out in annex I to this resolution and *decides also* to amend articles 11, 12 and 13 of the Statute of the International Tribunal for Rwanda and to replace those articles with the provisions set out in annex II to this resolution;

2. *Decides* that two additional judges shall be elected as soon as possible as judges of the International Tribunal for Rwanda and *decides also*, without prejudice to Article 12, paragraph 4, of the Statute of that Tribunal, that, once elected, they shall serve until the date of the expiry of the terms of office of the existing judges, and that for the purpose of that election the Security Council shall, notwithstanding Article 12, paragraph 2 (c) of the Statute, establish a list from the nominations received of not less than four and not more than six candidates;

3. *Decides* that, once two judges have been elected in accordance with paragraph 2 above and have taken up office, the President of the International Tribunal for Rwanda shall, in accordance with Article 13, paragraph 3, of the Statute of the International Tribunal for Rwanda and Article 14, paragraph 4, of the Statute of the International Tribunal for the Former Yugoslavia, take the necessary steps as soon as is practicable to assign two of the judges elected or appointed in accordance with Article 12 of the Statute of the International Tribunal for Rwanda to be members of the Appeals Chambers of the International Tribunals;

4. *Requests* the Secretary-General to make practical arrangements for the elections mentioned in paragraph 2 above, for the election as soon as possible of twenty-seven ad litem judges in accordance with Article 13 ter of the Statute of the International Tribunal for the Former Yugoslavia, and for the timely provision to the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda of personnel and facilities, in particular, for the ad litem judges and the Appeals Chambers and related offices of the Prosecutor, and *further requests* him to keep the Security Council closely informed of progress in this regard;

5. *Urges* all States to cooperate fully with the International Tribunals and their organs in accordance with their obligations under resolutions 827 (1993) and 955 (1994) and the Statutes of the International Tribunals, and *welcomes* the cooperation already extended to the Tribunals in the fulfilment of their mandates;

6. *Requests* the Secretary-General to submit to the Security Council, as soon as possible, a report containing an assessment and proposals regarding the date ending the temporal jurisdiction of the International Tribunal for the Former Yugoslavia;

7. *Decides* to remain actively seized of the matter.

Annex I

Article 12
Composition of the Chambers

1. The Chambers shall be composed of *sixteen* **permanent** independent judges, no two of whom may be nationals of the same State, **and a maximum at any one time of nine ad litem independent judges appointed in accordance with article 13 ter, paragraph 2, of the Statute, no two of whom may be nationals of the same State**.

2. Three permanent judges and a maximum at any one time of six ad litem judges shall be members of each Trial Chamber. Each Trial Chamber to which ad litem judges are assigned may be divided into sections of three judges each, composed of both permanent and ad litem judges. A section of a Trial Chamber shall have the same powers and responsibilities as a Trial Chamber under the Statute and shall render judgement in accordance with the same rules.

3. *Seven of the permanent judges shall be members of the Appeals Chamber. The Appeals Chamber shall, for each appeal, be composed of five of its members.*

Article 13
Qualifications of judges

The **permanent** and **ad litem** judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers and sections of the Trial Chambers, due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

Article 13 bis
Election of permanent judges

1. *Fourteen of* the **permanent** judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in article 13 of the Statute, no two of whom shall be of the same nationality *and neither of whom shall be of the same nationality as any judge who is a member of the Appeals Chamber and who was elected or appointed a judge of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between*

1 January 1994 and 31 December 1994 (hereinafter referred to as "The International Tribunal for Rwanda") in accordance with article 12 of the Statute of that Tribunal;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than twenty-eight and not more than forty-two candidates, taking due account of the adequate representation of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect fourteen permanent judges of the International Tribunal. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters, shall be declared elected. Should two candidates of the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

2. In the event of a vacancy in the Chambers **amongst the permanent judges** *elected or appointed in accordance with this article*, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the Statute, for the remainder of the term of office concerned.

3. The **permanent** judges *elected in accordance with this article* shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Court of Justice. They shall be eligible for re-election.

Article 13 ter
Election and appointment of ad litem judges

1. The ad litem judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for ad litem judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to four candidates meeting the qualifications set out in article 13 of the Statute, taking into account the importance of a fair representation of female and male candidates;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than fifty-four candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect the twenty-seven ad litem judges of the International Tribunal. The candidates

who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected;

(e) The ad litem judges shall be elected for a term of four years. They shall not be eligible for re-election.

2. During their term, ad litem judges will be appointed by the Secretary-General, upon request of the President of the International Tribunal, to serve in the Trial Chambers for one or more trials, for a cumulative period of up to, but not including, three years. When requesting the appointment of any particular ad litem judge, the President of the International Tribunal shall bear in mind the criteria set out in article 13 of the Statute regarding the composition of the Chambers and sections of the Trial Chambers, the considerations set out in paragraphs 1 (b) and (c) above and the number of votes the ad litem judge received in the General Assembly.

Article 13 quater
Status of ad litem judges

1. During the period in which they are appointed to serve in the International Tribunal, ad litem judges shall:

(a) Benefit from the same terms and conditions of service mutatis mutandis as the permanent judges of the International Tribunal;

(b) Enjoy, subject to paragraph 2 below, the same powers as the permanent judges of the International Tribunal;

(c) Enjoy the privileges and immunities, exemptions and facilities of a judge of the International Tribunal.

2. During the period in which they are appointed to serve in the International Tribunal, ad litem judges shall not:

(a) Be eligible for election as, or to vote in the election of, the President of the Tribunal or the Presiding Judge of a Trial Chamber pursuant to article 14 of the Statute;

(b) Have power:

(i) To adopt rules of procedure and evidence pursuant to article 15 of the Statute. They shall, however, be consulted before the adoption of those rules;

(ii) To review an indictment pursuant to article 19 of the Statute;

(iii) To consult with the President in relation to the assignment of judges pursuant to article 14 of the Statute or in relation to a pardon or commutation of sentence pursuant to article 28 of the Statute;

(iv) To adjudicate in pre-trial proceedings.

Article 14
Officers and members of the Chambers

1. The *permanent* judges of the International Tribunal shall elect a President *from amongst their number*.

2. The President of the International Tribunal shall be a member of the Appeals Chamber and shall preside over its proceedings.

3. After consultation with the *permanent* judges of the International Tribunal, the President shall assign *four of the permanent* judges *elected or appointed in accordance with Article 13 bis of the Statute* to the Appeals Chamber and *nine* to the Trial Chambers.

4. *Two of the judges elected or appointed in accordance with article 12 of the Statute of the International Tribunal for Rwanda shall be assigned by the President of that Tribunal, in consultation with the President of the International Tribunal, to be members of the Appeals Chamber and permanent judges of the International Tribunal.*

5. *After consultation with the permanent judges of the International Tribunal, the President shall assign such ad litem judges as may from time to time be appointed to serve in the International Tribunal to the Trial Chambers.*

6. A judge shall serve only in the Chamber to which he or she was assigned.

7. The *permanent* judges of each Trial Chamber shall elect a Presiding Judge *from amongst their number*, who shall *oversee the work* of the Trial Chamber as a whole.

Annex II

Article 11
Composition of the Chambers

The Chambers shall be composed of *sixteen* independent judges, no two of whom may be nationals of the same State, who shall serve as follows:

(a) Three judges shall serve in each of the Trial Chambers;

(b) *Seven judges shall be members of* the Appeals Chamber. *The Appeals Chamber shall, for each appeal, be composed of five of its members.*

Article 12
Qualification and election of judges

1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

2. *Eleven of* the judges of the International Tribunal for Rwanda shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within *sixty* days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in paragraph 1 above, no two of whom shall be of the same nationality and neither of whom shall be of the same nationality as any judge *who is a member of* the Appeals Chamber *and who was elected or appointed a permanent judge of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (hereinafter referred to as "the International Tribunal for the Former Yugoslavia") in accordance with article 13 bis of the Statute of that Tribunal*;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than *twenty-two* and not more than *thirty-three* candidates, taking due account of the adequate representation on the International Tribunal for Rwanda of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect *eleven* judges of the International Tribunal for Rwanda. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters, shall be declared elected. Should two candidates of

the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

3. In the event of a vacancy in the Chambers *amongst the judges elected or appointed in accordance with this article*, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of paragraph 1 above, for the remainder of the term of office concerned.

4. The judges *elected in accordance with this article* shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Tribunal for the Former Yugoslavia. They shall be eligible for re-election.

Article 13
Officers and members of the Chambers

1. The judges of the International Tribunal for Rwanda shall elect a President.

2. *The President of the International Tribunal for Rwanda shall be a member of one of its Trial Chambers.*

3. After consultation with the judges of the International Tribunal for Rwanda, the President shall assign *two of the judges elected or appointed in accordance with Article 12 of the present Statute to be members of the Appeals Chamber of the International Tribunal for the Former Yugoslavia and eight to* the Trial Chambers *of the International Tribunal for Rwanda.* A judge shall serve only in the Chamber to which he or she was assigned.

4. *The members of the Appeals Chamber of the International Tribunal for the Former Yugoslavia shall also serve as the members of the Appeals Chamber of the International Tribunal for Rwanda.*

5. The judges of each Trial Chamber shall elect a Presiding Judge, who shall conduct all of the proceedings of that Trial Chamber as a whole.